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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/533,352	06/26/2006	Seong-Jin Kang	OHPAR6-001 APC	7202
29995 7590 06/25/2008 KNOBBE MARTENS OLSON & BEAR LLP 2040 MAIN STREET FOURTEENTH FLOOR IRVINE, CA 92614				
EXAMINER				
PATEL, ASHOK				
ART UNIT		PAPER NUMBER		
2889				
NOTIFICATION DATE		DELIVERY MODE		
06/25/2008		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/533,352

Applicant(s)

KANG, SEONG-JIN

Examiner

Ashok Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 April 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SF/ICE)
- Paper No(s)/Mail Date 07102006, 05272008
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date. ____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____

1. Claims 3 and 4 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form.

Parent claim 1 recites a discharge tube in a singular form. However the dependent claim 3 recite the (single) discharge tube being formed by combining a plurality of U-shaped tubes. The single discharge tube of claim 1 is different from the plural tubes of claim 3. The single discharge tube of claim 1 can not be narrowed down to being multiple tubes.

Claim 4 is objected to due to its dependency upon claim 3.

2. The disclosure is objected to because of the following informalities: At page 9, line 8: there is an unknown character symbol after the number 100. At page 10, line 14: the term "a first electrode 1022 appears to be incorrect. At page 10, line 18, the term "the electrode 1046" appears to be incorrect. Appropriate correction is required.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 2, 5-8 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Holzer (USPN 5243256).

As to claims 1, 2, Holzer discloses applicant's claimed compact-type discharge lamp (at least Figures 5 and 9) used being inserted into a socket for a light bulb, including:

a spiral shaped discharge tube (18, 8) formed of a transparent material with a space in a center thereof, having an electrode (10, Figure 9) for supplying with electricity;

a ballast housing (lower vertical portion 23 of T shaped elements 7 and 23 in Figure 5; lower vertical portion 7 of T shaped element 7 in Figure 9) formed to be inserted into the space of the discharge tube for containing a ballast to supply electricity to the discharge tube and initiate and continue a discharge of electricity, including a coupling member (upper horizontal portion 7 of the T shaped element in Figure 5; upper horizontal portion of the T shaped element located between

reference numeral 10 in Figure 9) mechanically joined to and electrically coupled to the electrode of the discharge tube; and

a base member (20) coupled to an end of the ballast housing to supply electricity to the ballast contained in the ballast housing.

As to claims 5 and 6, as shown in Figures 5 and 9, Holzer discloses the electrodes provided at a lowest part of the discharge tube (which is upper most part of the discharge tube).

As to claim 7, as shown in Figures 5 and 9, Holzer discloses the coupling member provided at a position of upper circumference of the ballast housing to correspond to the electrode of the discharge tube.

As to claim 8, as shown in Figures 10 and 11, Holzer discloses a terminal 12 or 13 coupled to the ballast in the coupling member.

As to claim 10, as shown in Figures 5 and 9, Holzer discloses the discharge tube detached (i.e. detachable) from the ballast housing by separating the electrode of the discharge tube from the coupling member of the ballast housing.

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Holzer (USPN 5243256), as applied to claim 1

As to claim 9, Holzer '256 does not disclose the terminal as a pair of elastic electrodes, as claimed by applicant. However, it would have obvious to one of ordinary skill in the art to provide the electrodes of any suitable material or configuration so long as it provides an effective electrical and mechanical connection between the electrodes and the ballast. In light of this, it would have been obvious to one of ordinary skill in the art to provide Holzer '256's compact lamp including a suitable conventional electrodes for providing effective electrical and mechanical connection between the electrodes and the ballast.

7. Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Holzer (USPN 5243256), as applied to claim 1 in view of Holzer (USPN 6307316).

As to claims 3 and 4, Holzer '256 does not disclose a plurality of U-shaped tubes, as claimed by applicant. However, providing discharge tube in the form of plural U-shaped or

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spiral tube is very well known in the compact fluorescent lamp art for providing fluorescent light. Holzer, 316 is however cited for showing a compact fluorescent lamp including plural U-shaped discharge tubes for providing a fluorescent light.

In light of this, it would have been obvious to one of ordinary skill in the art to provide Holzer 256's lamp including plural U-shaped discharge tubes as suggested by Holzer '316 as an alternative of the spiral shaped discharge tube for providing a fluorescent light.

Alternatively, it should be noted that applicant's claimed plural U-shaped discharge tubes do not solve any problems or yield any unexpected results that are not within the scope of Holzer 256's spiral shaped discharge tube. Accordingly, applicant's claimed plural U-shaped discharge tubes is considered as an obvious matter of design choice.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ashok Patel whose telephone number is 571-272-2456. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Minh-Toan Ton can be reached on 571-272-2303. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval

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(PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Ashok Patel/
Ashok Patel
Primary Examiner
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